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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,934	02/09/2004	Peter Parks	200209339-1	8628
22879	7590	06/23/2011		
HEWLETT-PACKARD COMPANY Intellectual Property Administration 3404 E. Harmony Road Mail Stop 35 FORT COLLINS, CO 80528			EXAMINER LIM, KRISNA	
			ART UNIT 2453	PAPER NUMBER
			NOTIFICATION DATE 06/23/2011	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/774,934	Applicant(s) PARKS ET AL.	
	Examiner KRISNA LIM	Art Unit 2453	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 and 29-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 and 29-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 01/14/2011 has been entered.

2. Claims 1-27 and 29-36 are pending for examination. Claim 28 was canceled.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, those claimed features must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Those claimed features are as following:

a) Data store (not just a rectangular box with a label data store) associated with a service requesting network device configured to store a pairing data that relates said service requesting network device and a service providing networked device.

b) a logic (not just a rectangular box with a label logic) associated with said service requesting networked device configured to, in response to said service requesting device sending a service request to said service providing networked device, determine whether the pairing data should be updated and to update the pairing data if said pairing data is not valid.

c) The data store comprises one or more of, a file, a memory, and a register.

d) The pairing data comprises one or more of, an IP address, a unique hardware identifier, a unique software identifier, a virtual identifier, and a dynamic Identifier.

e) The unique hardware identifier comprises one or more of, a media access control (MAC) address, a globally unique identifier (GUID), an object identifier (OID), and an IP address.

f) The service requesting networked device comprises one of, a computer, a printer, a scanner, and a server.

g) The service providing networked device comprises one of, a computer, a printer, a scanner, and a server.

h) The logic is further configured to generate a uni-cast simple network management protocol (SNMP) GET message to be delivered from the service requesting networked device to the service providing networked device and to compare data within a response to said GET message with said pairing data.

i) The logic is further configured to selectively generate a multicast SNMP GET message to be delivered to a plurality of service providing networked devices to request a binding data that facilitates updating the pairing data.

j) The binding data comprises one or more of, a MAC address, a GUID, an OID, an IP address, and a virtual name.

k) A first logic configured to, in response to a service request made by said requesting networked device, produce a uni-cast SNMP GET request for the MAC address of the service providing networked device and to determine whether the IP address and MAC address stored in the data store describe a valid pairing based on a uni-cast SNMP GET RESPONSE message, the first logic being located in the requesting networked device.

l) A second logic configured to selectively produce a multicast SNMP GET request for the MAC address of one or more service providing networked devices related to said service request and to selectively update the data store based on one or more uni-cast SNMP GET RESPONSE messages responsive to the multicast SNMP GET request, the second logic being located in the requesting networked device.

m) The data store comprises an extensible markup language (XML) file.

n) means for performing a unicast based doing weak discovery between the service requesting networked device and the service providing networked device in response to a service request made from the service requesting networked device to the service providing networked device.

o) means for selectively performing automatic multicast based discovery to rediscover the service providing networked device based on the unicast based discovery and selectively updating the pairing data based on the multicast_based discovery. And,

p) an updating a pairing table.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. Claims 1-27 and 29-36 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, it is unclear what kind of "pairing data" is and it is unclear how a data store associates with a service requesting network device and configured to store a pairing data. It is unclear what kind of "logic" that applicant is talking and it is unclear how this logic associates with said service requesting networked device configured to determine whether the pairing data should be updated and to update the pairing data if said pairing data is not valid. Moreover, it is unclear what constitutes pairing data is not valid.

In claim 2, it is unclear how a register can store the pairing data.

In claim 4, it is unclear what kind of virtual identifier, and a dynamic Identifier that the applicant is talking about.

In claim 7, it is unclear what kind of "logic" that can be configured to generate a uni-cast simple network management protocol (SNMP) GET message to be delivered from the service requesting networked device to the service providing networked device and to compare data within a response to said GET message with said pairing data.

In claim 8, it is unclear what kind of "logic" that can configured to selectively generate a multicast SNMP GET message to be delivered to a plurality of service providing networked devices to request a binding data that facilitates updating the pairing data.

In claim 9, it is unclear what kind of a virtual name that the applicant is talking about.

In claims 10-12, it contains similar problems as in claims 1-8.

In claim 13, it is unclear what exactly a binding data that can facilitates uniquely identifying a networked device. It is unclear what kind of pairing data that the applicant is talking about and therefore the claimed language is not clearly understood.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-27 and 29-36 are rejected under 35 U.S.C. 102(a) as being anticipated by Dowling [U.S. Patent No. 6,636,499].

7. Dowling anticipated the invention substantially as claimed. Taking claim 1 as an exemplary claim, the reference anticipated a client-side auto-rediscovery system, comprising: a data store (i.e., a memory or a database) associated with a service requesting networked device (i.e. see col. 8 (lines 3-4), col. 3 (line 21) to col. 4 (line 21)) configured to store a pairing data (i.e., source and destination addresses, 2 fields of Ethernet Frame at col. 2 (line 44) to col. 3 (line 60)) that relates said service requesting networked device and a service providing networked device; and a logic (i.e. see col. 4 (lines 7-21)) associated with said service requesting networked device configured to, in response to said service requesting device sending a service request to said service providing networked device, determine whether the pairing data should be updated and to update the pairing data if said pairing data is not valid (i.e. enable the automatic discovery of switches or other network devices, see col. 6 (lines 54-55)).

8. As to claim 2, Dowling further anticipated the data store comprises a memory (i.e. see 280).

9. As to claim 3, Dowling further anticipated the pairing data comprises an IP address (i.e., see 124 of Fig. 12, col. 6 (lines 23-56)).

10. As to claim 4, Dowling further anticipated the unique hardware identifier comprises media access control (MAC) address (i.e. see 208 of Fig. 2B, col. 3 (line 9), col. 6 (lines 23-56)).
11. As to claim 5, Dowling further anticipated the service requesting networked device comprises a server (i.e. see a server 20, col. 1 (line 61), col. 4 (lines 8-21)).
12. As to claim 6, Dowling further anticipated the service providing networked device comprises a server (i.e. see a server 20, col. 1 (line 61), col. 8 (lines 8-21)).
13. As to claim 7, Dowling further anticipated to determine whether to update said pairing data, the logic is further configured to generate a uni-cast simple network management protocol (SNMP) GET message to be delivered from the service requesting networked device to the service providing networked device and to compare data within a response to said GET message with said pairing data (i.e. see col. 8 (lines 36-59)).
14. As to claim 8 Dowling further anticipated to update said pairing data, the logic is further configured to selectively generate a multicast SNMP GET message to be delivered to a plurality of service providing networked devices to request a binding data that facilitates updating the pairing data (i.e. see col. 8 (lines 15, 36-59) and col. 15 (lines 10-37)).
15. As to claim 9, Dowling further anticipated the binding data comprises a MAC address (i.e. see 208 of Fig. 2B, col. 3 (line 9), col. 6 (lines 23-56)).
16. Claims 10-27 and 29-36 are rejected for the same rationale as claims 1-9, since they recite substantially identical subject matter. Any differences (such as XML File, periodically performed the process, and a table) between the claims do not result in

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patentably distinct claims and all of the limitations are taught by the above cited references.

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references are cited in the Form PTO-892 for the applicant's review.

A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter.

Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.

If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.

Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krisna Lim whose telephone number is 571-272-3956. The examiner can normally be reached on Tuesday to Friday from 7:10 AM to 5:40 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Krista Zele, can be reached on 571-272-7288. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)?

KI

June 17, 2011

/Krisna Lim/

Primary Examiner, Art Unit 2453